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PATENT & TRADEMARK OFFICE

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PATENT
81754.0112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Kenji MATSUMOTO
Serial No: 10/799,582
Filed: March 12, 2004
For: Control Program For Image Processing Device

Art Unit: 2622
Examiner: Not Assigned

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450, on
April 7, 2006
Date of Deposit
Shindale Ferguson
Name
April 7, 2006
Signature Date

## TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

1. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).

2. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

### §1.97(e) STATEMENT

I, the person signing below, state:

☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in

§1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

**OR FEE**

☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). ($180.00). [OR:] Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) ($180.00) to Deposit Account No. 50-1314. A copy of this petition is enclosed.

3. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

**§1.97(e) STATEMENT**

I, the person signing below, state:

☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

**AND FEE**

☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). ($180.00).

4. ☒ If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. **A copy of this petition is enclosed.**

5. ☒ A list of 4 reference(s) is in the enclosed Form PTO-1449.

## NON-ENGLISH LANGUAGE REFERENCES

☒ Enclosed is a Japanese language office action for a counterpart application.

☐ The applicant has provided machine translations of the cited references as a matter of courtesy. The applicant has not reviewed the translations for accuracy.

☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: April 7, 2006

By: _____
Troy M. Schmelzer
Registration No. 36,667
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Telephone: (213) 337-6700
Facsimile: (213) 337-6701

| FORM PTO-1449 | Docket Number (Optional) 81754.0112 | Application Number 10/799,582 |
|---|---|---|
| **INFORMATION DISCLOSURE CITATION IN AN APPLICATION** *(Use several sheets if necessary)* | Applicant Kenji MATSUMOTO | |
| | Filing Date March 12, 2004 | Group Art Unit 2622 |

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## U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---|---|---|---|---|---|---|
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## FOREIGN PATENT DOCUMENTS

| | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | Translation YES | Translation NO |
|---|---|---|---|---|---|---|---|
| | 03-059513 | 03/14/91 | JAPAN | | | Abstract | |
| | 10-161610 | 06/19/98 | JAPAN | | | Abstract | |
| | 11-045076 | 02/16/99 | JAPAN | | | Abstract | |
| | 2002-108288 | 04/10/02 | JAPAN | | | Abstract | |
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## OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

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